



UNITED STATES COUNCIL FOR INTERNATIONAL BUSINESS

July 29, 2011

Fiona Alexander

Associate Administrator, Office of International Affairs

National Telecommunications and Information Administration

1401 Constitution Avenue, NW

Room 4701

Washington, DC 20230

Re: NTIA Further Notice of Inquiry, Request for Comments on the Internet Assigned Numbers Authority (IANA) Functions

The United States Council for International Business (USCIB) appreciates the opportunity to provide input to the U.S. Department of Commerce to inform the procurement process leading to the award of a new IANA functions contract. Our members include some 300 leading U.S.-based global companies and professional services firms from every sector of our economy, with operations in every region of the world. The technical coordination of Internet resources and preservation of a unified Domain Name System (DNS) is of critical importance to all of our members given the amount of their business that is conducted over it.

USCIB recognizes the importance of the IANA functions contract, and we applaud NTIA for seeking ways to enhance the performance of the IANA functions in this second phase of public input to the contracting process. We also recognize the requisite cooperation and coordination that the IANA functions require between a variety of technical groups and stakeholder communities. Understanding the best way to structure the IANA functions contract in order to ensure the continued security and stability of the DNS is critical to continued innovation and growth of the Internet. Building on our previous input in March 2011 to the first NOI, we offer the following considerations in evaluating the IANA functions contract.

General

USCIB strongly supports NTIA's commitment to the multi-stakeholder process and model for management of the DNS, and we support the framework by which NTIA is proceeding with the IANA procurement. USCIB supports the current model of contracting the interdependent IANA functions to a single entity. The current arrangement has provided stability for a long time and therefore the focus should be on providing transparency and accountability. We also support continued efforts to enhance the transparency and process for the IANA functions within the framework of the current arrangement.

Interdependency

As noted, USCIB believes that the IANA functions remain interdependent and we support NTIA's conclusion that they should remain bundled and performed by a single entity, in line with the positions of a number of technical organizations. We would emphasize the global public interest in keeping responsibility for management of the .INT TLD with IANA as well.

Functional Separation

USCIB supports NTIA's conclusion that there should be functional separation between processing of the IANA functions and the development of associated policies. In this vein, the requirement for the IANA Contractor to document compliance with relevant policies and procedures or, more critically, with relevant national laws, should be examined. To be consistent with the required separation between the processing of IANA functions and the development of associated policies, IANA staff must not engage in an assessment of whether or not requests for processing are compliant with relevant policies and procedures and certainly not whether they are compliant with relevant national laws. Compliance is a matter for the policy-making bodies - the ICANN Board, the RIRs through the NRO, and the IETF. Thus, the final SOW should make clear that IANA contractor staff are responsible only for documenting that the requesting organization has stated that their decision is compliant with policy, procedures and laws -- not to judge the accuracy of such statements. Ensuring that the IANA contract functions are clearly limited to implementation, reiterates that policy decisions are being addressed in a multi-stakeholder environment.

Automated Root Zone Management

USCIB supports a transparent and structured process to provide assurances of how IANA functions are being implemented. Automation is an important step to provide that type of structure and facilitate changes to the root at higher volumes. However, security and stability must be maintained, so this process must be undertaken carefully. Implementation of an automated root zone management system must be tested and monitored on an ongoing basis to ensure that, through automation, problems do not arise that would impact the commercial aspects of most ccTLDs today.

Charging for IANA Services

With regard to NTIA's intention to award any future contract with the requirement that all fees are fair and equitable, and the right to review the contractor's accounting data to ensure these requirements are met, USCIB believes NTIA should ensure that the degree or manner of scrutiny does not rise to the level of itself being an inhibition to charge. For example, the administrative costs of compliance with oversight and audit make an otherwise needed case to charge more difficult to justify. While we do not see the FNOI guidance on this issue to have extreme expectations, there should be no inhibiting the contractor's ability to charge in the process of ensuring that the users are getting a cost-based deal.